



08-03-01

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I hereby certify that this transmittal of the below described documents is being deposited with the United States Postal Service in an envelop bearing Express Mail Postage and an Express Mail Label No. ET240011948US addressed to the Assistant Commissioner for Patents, Washington, D. C. 20231 on August 2, 2001 by David R. Gildea:

signature of person making deposit

JC928 U.S. PTO
08/02/01

page 1 of 2

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No. RAD297First Inventor: Bret RothenbergTitle: Transmitter and Method Having a Low Sampling Frequency for Digital to Analog Conversion

Address to: Assistant Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

APPLICATION ELEMENTS

(See MPEP chapter 600 concerning utility patent application contents)

1. Fee Transmittal Form
(Submit an original and a duplicate for fee processing)
2. Applicant claims small entity status
See CFR 1.27
3. Specification Total Pages: 25
(Title, Cross Reference, Statement of Fed R&D, Reference to sequence/table/listing appendix, Background, Summary, Description of Drawings, Detailed Description, Claims, and Abstract)
4. Drawings (35 USC 113) Total Sheets: 5
5. Oath or Declaration (
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63d)
(for Continuation/Divisional with Box 18 completed)
 - i. **DELETIONS OF INVENTOR(S)** Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63d2 and 1.33b.)
6. Application Data Sheet. See 37 CFR 1.76
7. CD-ROM or CD-R in duplicate, large table or Computer Program
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. Computer Readable Copy
 - b. Specification Sequence Listing on CD-ROM or CD-R 2 copies or paper
 - c. Statement verifying identity of above copies

Docket No.: RAD297

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3.73b Statement (when there is an assignee)
 Power of Attorney in Declaration
11. English Translation Document (if applicable)
12. Information Disclosure Statement (IDS)/PTO-1449
 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. Request and Certification Under 35 USC 122(b)(2)(B)(i)
(Applicant must attach PTO/SB/35 or its equivalent)
17. Other Title page for application
Check for \$ 395

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP) of prior application: _____

Prior information: Examiner _____ Group / Art Unit _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. Correspondence Address

Correspondence Address Below

COMPANY NAME Menlo Patent Agency LLC
 ADDRESS 435 Hermosa Way
 CITY, STATE, ZIP Menlo Park, CA 94025
 COUNTRY U.S.A. TELEPHONE 650-853-0189 FAX 650-324-9111

NAME David R. Gildea Reg. No. 38,465
David R. Gildea
 signature

08/02/01
 date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Applicant: Bret RothenbergTitle: Transmitter and Method Having a Low Sampling Frequency for Digital to Analog ConversionFEE TRANSMITTAL FORM

	NUMBER OF CLAIMS	EXTRA CLAIMS	RATE	FEES
Basic Application Fee				\$710
Total Claims	12	-20	\$18	\$0
Independent Claims	1	-3	\$80	\$0
If multiple dependent claims are presented, add			\$270	\$0
Subtotal of above calculations				\$710
Reduction by 50% for Small Entity				<u>\$710</u>
Subtotal				<u>\$355</u>
Add Assignment Recording Fee			\$40	<u>\$40</u>
Total				<u>\$395</u>

A check for the amount of the total is included herewith.

The amount of the total is believed to be the correct fee due to the Patent Office for the filing of this application.

Should the Patent Office determine that the amount of the total is in error for the filing of this application, the Assistant Commissioner for Patents is authorized to deduct the amount of the deficiency or credit the amount of the extra in the deposit account number 071248. The name and address of the depositor are:

David Gildea
Menlo Patent Agency LLC
435 Hermosa Way
Menlo Park, California 94025

A duplicate copy of this Fee Transmittal Letter is included herewith.

Date: August 2, 2001

David R. Gildea, Reg. No.: 38,465
Menlo Patent Agency LLC

REQUEST AND CERTIFICATION UNDER 35 USC 122(b)(2)(B)(i)

First Inventor: Bret Rothenberg

Title: Transmitter and Method Having a Low Sampling Frequency for Digital to Analog Conversion

Docket No. RAD297

I hereby certify that the invention disclosed in the attached application has not and will not be subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 USC 122(b).

 08/02/01

David R. Gildea

date

Reg. No.: 38,465

Menlo Patent Agency LLC

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application upon filing.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 USC 122 (b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of the application eighteen months after filing, the applicant must notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. Failure to do so will result in abandonment of this application (35 USC 122(b)(2)(B)(iii)).